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DOCUMENT
ELECTRONICALLY FILED
DOC#: _____
DATE FILED: 3/24/2020

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March 23, 2020

By ECF

Honorable Andrew L. Carter, Jr.
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *U.S. v. Jerrell Fulcher, et al., 18 Cr. 420 (ALC)*

Dear Judge Carter:

I write with the consent of the government to respectfully request an adjournment of the sentencing proceeding currently scheduled for April 13, 2020 to a date in late May, or such later date that is convenient for the Court, including pushing back the due dates for submissions due to the current health pandemic.

On March 13, 2020, Chief Judge McMahon issued a Standing Order entitled *In re Coronavirus/COVID-19 Pandemic*, 20 Misc. 154 (the "Order"). The Order notes that the President of the United States has declared a national emergency, the Governor of New York has banned mass gatherings, and the Centers for Disease Control and Prevention have advised the taking of precautions to reduce the possibility of exposure to the COVID-19 virus and slow the spread of the disease. In addition, the Order adjourns all trials scheduled to begin before April 27, 2020, strongly encourages judges to conduct court proceedings by telephone or video where possible, and further authorizes individual judges to take actions consistent with the Order.

In addition, I have just learned today that a member of Mr. Fulcher's household has tested positive for the Coronavirus. The exponential rate of Coronavirus infection is unparalleled. On January 21, 2020, Washington State announced the first confirmed case of Coronavirus in the United States.¹ Only two months later, COVID-19 has infected more than 33,018 people across

¹ [First Patient With Wuhan Coronavirus Is Identified in the U.S., The New York Times \(Jan. 21, 2020\)](https://www.nytimes.com/2020/01/21/health/cdc-coronavirus.html), at <https://www.nytimes.com/2020/01/21/health/cdc-coronavirus.html>.

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the United States, leading to at least 428 deaths.² To date, the state has amassed 15,168 confirmed cases of the virus, with 114 deaths.³ In a five-day period between March 15 and March 20, New York State experienced a 1,064% increase in new confirmed cases of COVID-19.⁴ As of March 21, 2020 in New York City, there are 8,115 positive cases and 60 deaths resulting from the virus.⁵ Ten days ago, New York City had only 53 confirmed cases.⁶ New York now has more confirmed cases of Coronavirus than any other state in the country. In fact, New York has 5% of Coronavirus cases nationwide.⁷ And the majority of those cases are in New York City, making it an epicenter of the pandemic.⁸

In light of the ongoing health crisis and consistent with Chief Judge McMahon's Order, counsel respectfully requests that the scheduled sentence hearing be adjourned to a date convenient for the Court in late May 2020 or thereafter, as well as requiring the parties' due date for submissions to be adjusted pursuant to the Court's rules. Counsel has consulted with the government who consents to this request.

Thank you for your consideration to this request.

Respectfully,

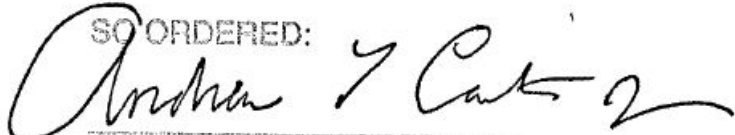
/s/

Natali Todd, Esq.

cc: AUSA Jacob Warren (by ECF)

The application is granted. Sentencing
adjourned to **6/15/20 at 2:00 p.m.**

Dated: 3/24/2020

SO ORDERED:

HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

² *Coronavirus Map: Tracking the Spread of the Outbreak*, The New York Times (Mar. 21, 2020), at <https://nyti.ms/2U4kmud> (updating regularly).

³ *Id.*

⁴ *Watch How the Coronavirus Spread Across the United States*, The New York Times (Mar. 21, 2020), at <https://www.nytimes.com/interactive/2020/03/21/us/coronavirus-us-cases-spread.html>.

⁵ *Coronavirus*, New York City Health (Mar. 21, 2020), at <https://on.nyc.gov/39ME7wU> (updating regularly)

⁶ *Id.*

⁷ *Coronavirus Live Updates*, The New York Times (Mar. 22, 2020) at <https://www.nytimes.com/2020/03/22/world/coronavirus-updates-world-usa.html> (updating regularly).

⁸ *Coronavirus in N.Y.C.: Region Is Now an Epicenter of the Pandemic*, The New York Times (Mar. 23, 2020), at <https://www.nytimes.com/2020/03/22/nyregion/Coronavirus-new-York-epicenter.html?action=click&module=Spotlight&pgtype=Homepage>.